



Thursday, February 15, 2024

The City Council will convene at 10:00 AM on Thursday, February 15, 2024 at Austin City Hall, 301 W. 2nd Street, Austin, TX and some members may be participating via videoconference



Mayor Kirk Watson
Mayor Pro Tem Leslie Pool, District 7
Council Member Natasha Harper-Madison, District 1
Council Member Vanessa Fuentes, District 2
Council Member José Velásquez, District 3
Council Member José "Chito" Vela, District 4
Council Member Ryan Alter, District 5
Council Member Mackenzie Kelly, District 6
Council Member Paige Ellis, District 8
Council Member Zohaib "Zo" Qadri, District 9
Council Member Alison Alter, District 10

**Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:
http://austintexas.gov/departments/city-council/council/council_meeting_info_center.htm**

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:00 AM – Proclamations

Proclamation – Black History Month – To be presented by Council Member Natasha Harper-Madison

Proclamation – Greater Austin Regional Science and Engineering Fair Days – To be presented by Council Member Mackenzie Kelly

Proclamation – Otis J. Latin Sr. Month – To be presented by Council Member Mackenzie Kelly

Distinguished Service Award – Cindy Hood – To be presented by Council Member Mackenzie Kelly

Proclamation – Parent Support Specialist Day – To be presented by Council Member Vanessa Fuentes and Council Member José Velásquez

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of January 30, 2024, and regular meeting of February 1, 2024.

Financial Services- Contracts

2. Authorize negotiation and execution of a contract for project controls and project management software with PMWeb, Inc., for a term of five years in an amount not to exceed \$5,000,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

3. Authorize negotiation and execution of a contract for a latent print case management system including training and related services with Mideo Systems, Inc., for a term of five years in an amount not to exceed \$330,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

4. Authorize execution of a contract for collection and recycling services of scrap tires with Youngblood Automotive & Tire LLC d/b/a Youngblood Auto & Tire or Youngblood Auto & Ti, for a term of five years in an amount not to exceed \$500,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

5. Authorize an amendment to a contract for continued boating concession operation services with Zilker Park Boat Rentals LLC, for an estimated revenue increase in the amount of \$200,000 and to extend the term for up to one year, for a revised total estimated contract revenue amount of \$1,103,874.

[Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

6. Authorize an amendment to the 2023 Chilled Water Construction in the Right-of-Way Indefinite Delivery/Indefinite Quantity construction contract with DeNucci Constructors to increase the amount by \$6,250,000, for a revised total contract amount not to exceed \$31,250,000.

[Note: This contract was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 0% MBE and 0% WBE].

7. Authorize execution of a contract for construction services for the Kramer Lane Substation project with Capital Excavation Company, in the amount of \$12,272,916, plus a \$1,227,291 contingency, for a total contract amount not to exceed \$13,500,207.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 5.90% MBE and 1.63% WBE participation.]

District(s): District 7

8. Authorize execution of a contract for construction services for the Walnut Creek-Oak Knoll Flood Risk Reduction project with Santa Clara Construction, Ltd. in the amount of \$8,232,469 plus a \$823,246 contingency, for a total contract amount not to exceed \$9,055,716.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the

goals with 64.64% MBE and 1.02% WBE participation.]

District(s): District 10

9. Authorize negotiation and execution of a contract for an underground feasibility and overhead distribution resilience study with Burns & McDonnell Engineering Company, Inc., in an amount not to exceed \$1,725,000.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Housing

10. Approve a resolution related to an application by FC Burleson Housing LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Burleson Studios located at or near 7905 Burleson Road, Austin, Texas 78744, and related to the allocation of housing tax credits within the City's extraterritorial jurisdiction and near the proposed development.

Law

11. Authorize negotiation and execution of an amendment to the legal services agreement with Blair Leake with the law firm of Wright and Greenhill, PC for individual officer representation in Gonzalez et al. v. City of Austin et al., Cause No. 1:22-cv-00655 in the United States District Court for the Western District of Texas in an amount of \$255,500, for a total contract amount not to exceed \$295,500.
12. Authorize negotiation and execution of a legal services agreement with Denton Navarro Rodriguez Bernal Santee & Zech, P.C. for 2024 labor contract negotiations with the Austin Police Association in an amount not to exceed \$250,000.
13. Authorize negotiation and execution of an amendment to the legal services agreement with Albert Lopez with the Law Offices of Albert Lopez for individual officer representation in Gonzalez et al. v. City of Austin et al., Cause No. 1:22-cv -00655 in the United States District Court for the Western District of Texas in an amount of \$223,000, for a total contract amount not to exceed \$227,500.

Management Services

14. Approve a resolution updating the Austin Climate Equity Plan regarding telework policies and per capita waste disposal rate goals.
15. Authorize negotiation and execution of an amendment to an interlocal agreement with Texas A&M Engineering Extension Services to allow an additional 35 participants to attend the Enhanced All-Hazards Incident Management/Unified Command MGT314 training course for an amount not to exceed \$150,000.

Planning

16. Approve an interlocal agreement with Travis County on a planning and implementation partnership

for the Northeast Planning District.

Police

17. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to add six full-time equivalent grant funded positions for the Austin Police Department Victim Crisis Intervention Project.

Public Health

18. Authorize negotiation and execution of Amendment No. 7 to an agreement with Ending Community Homelessness Coalition, Inc. to connect individuals experiencing homelessness in Austin and Travis County to opportunities for safe, stable, and permanent housing, to add a six-month term beginning April 1, 2024, in an amount not to exceed \$65,000, for a revised total agreement amount not to exceed \$910,000.
19. Authorize negotiation and execution of an interlocal agreement with Travis County and the Austin-Travis County Sobriety Center Local Government Corporation d/b/a the Sobering Center for the operation and management of a sobering center, for an initial six-month term beginning on April 1, 2024, in an amount not to exceed \$1,251,394, with four 12-month extension options in an amount not to exceed \$9,969,566, for a total agreement amount not to exceed \$11,220,960.

Transportation and Public Works

20. Approve a resolution authorizing the submittal of the Bergstrom Spur Trails to Transit project as a candidate for the 2024 Rebuilding American Infrastructure with Sustainability and Equity discretionary grant program, administered by the United States Department of Transportation.

District(s): District 2; District 3

Watershed Protection Department

21. Approve a resolution authorizing the submission of an application to the Federal Emergency Management Agency Flood Mitigation Assistance grant program to fund flood education and outreach services.

Item(s) from Council

22. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.
23. Approve a resolution directing the City Manager to investigate ways to preserve accessible, inclusive, open-to-the-public events and Citywide traditions and to identify opportunities for the City to support and promote community events including a free annual summer concert series.

Sponsors: Council Member Natasha Harper-Madison, Council Member Paige Ellis, Council Member Zohaib "Zo" Qadri, and Council Member Ryan Alter

24. Approve a resolution regarding transparent and ethical citywide artificial intelligence guidelines and procedures, accountability strategies, and workforce considerations.

Sponsors: Council Member Vanessa Fuentes, Council Member Alison Alter, Council Member Natasha Harper-Madison, Council Member Ryan Alter, and Council Member Zohaib "Zo" Qadri

25. Approve a resolution establishing the City's intent to act urgently to address local causes of climate change, enhance the sustainability of City operations, and develop community resiliency to the impacts of extreme weather; directing the City Manager to post a public hearing of the Joint Sustainability Committee to gather public input and make recommendations; further directing the City Manager to prepare an environmental investment plan, including recommendations for appropriate funding sources; and setting a public hearing. (Suggested date and location: May 16, 2024, Austin City Hall, 301 W. 2nd Street, Austin, Texas)

Sponsors: Council Member Ryan Alter, Council Member Paige Ellis, Council Member José Velásquez, and Council Member Vanessa Fuentes

Item(s) to Set Public Hearing(s)

26. Set a public hearing to consider a resolution to reauthorize the East Sixth Street Public Improvement District. (Suggested date: March 21, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

District(s): District 9

27. Set a public hearing to consider a resolution to reauthorize the South Congress Preservation and Improvement District. (Suggested date: March 21, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

District(s): District 9

28. Set a public hearing related to an application by TX Clayton 2024, Ltd., or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Cameron HiLine located within the city of Austin at or near 1120 and 1124 Clayton Lane, Austin, Texas 78723. (Suggested date: Thursday, February 29, 2024, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

District(s): District 4

29. Set a public hearing to receive input on community needs concerning the City's Fiscal Year 2024-2029 Consolidated Plan, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code Chapter 373 for the City's application for federal funding. (Suggested date: March 7, 2024, at Austin City Hall, 301 West 2nd Street, Austin, Texas).

30. Set a public hearing to consider an ordinance amending City Code Title 25 to amend the North Burnet/Gateway Regulating Plan. (Suggested date: March 7, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

31. Set a public hearing to consider an ordinance amending City Code Chapter 25-9 (Water and Wastewater) to clarify requirements for water conservation in the implementation of the Water Forward Plan, including distances for the reclaimed water connection requirement, clarify definitions, and modify variances, including adding certain affordable housing exemptions for reclaimed water connections and onsite water reuse requirements. (Suggested date: March 7, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

32. Set a joint public hearing of the City Council and Planning Commission and a subsequent City Council public hearing to consider amendments to City Code Title 25 (Land Development) that would: revise regulations that apply to lots with one housing unit, create regulations that allow

properties to be used for charging electric vehicles, create regulations that would apply to properties that are located within a half mile of the planned Phase 1 Light Rail and Priority Extensions (also known as the Equitable Transit-Oriented Development (ETOD) overlay), and revise height, building placement, and other related regulations that apply to property and are in addition to the base zoning regulations (also known as Compatibility Standards). (Suggested Joint Public Hearing Date: April 11, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas; and Suggested City Council Public Hearing Date: No earlier than May 1, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

Non-Consent

Item(s) Referred from Council Committee(s)

33. Approve an ordinance appointing two individuals to fill vacancies and to serve full terms on the Municipal Civil Service Commission, appointing a chair and waiving City Code Section 2-1-21(H) regarding service on more than one board.

Sponsors: Audit and Finance Committee

34. Approve an ordinance amending City Code Title 2 and Title 25 relating to the City Auditor.

Sponsors: Audit and Finance Committee

Public Hearings and Possible Actions

35. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan to update the Austin Strategic Mobility Plan (ASMP).

12:00 PM - Public Communication: General

Muneeb Aslam - Ceasefire

Jameleh Mahmoud - TBD

Tessa Mitterhoff - Ceasefire

Mohit Mehta - TBD

Henry Kohen - I would like to speak towards our City Council's obligation to put forward a ceasefire resolution.

Valerie Michalecki - Ceasefire

Michael Luxemburg - Community safety

Liana Petruzzi - Tbd

Scott Delgado - Ceasefire now

Ali Ishaq - TBD

Live Music

Oscar Ornelas

2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

36. C14-2023-0096 - Ben White Boulevard Medical Office - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4007 James Casey Street (West Bouldin Creek Watershed). Applicant Request: To rezone from community commercial-vertical mixed use building-neighborhood plan (GR-V-NP) combining district zoning to commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning. Staff Recommendation: To grant commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning. Planning Commission Recommendation: To be reviewed February 13, 2024. Owner/Applicant: St. David's HealthCare Partnership, LP, LLP; Kenneth B. Ferguson Investments, Inc.; KBF Jacs South Austin, LLC (Mark Worsham, Kenneth B. Ferguson). Agent: Armbrust & Brown, PLLC (Michael Whellan). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 3

37. C14-2023-0005 - Champions Commercial - Tract 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6025 North Capital of Texas Highway (Lake Austin and Bull Creek Watersheds). Applicant Request: To rezone from rural residence (RR) district zoning to rural residence-conditional overlay (RR-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning, for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant rural residence-conditional overlay (RR-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Owner/Applicant: East VH 2222, LLC (Vinod Nagi, President). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

38. C14-2023-0112.SH - The Ridge Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8601, 8609, and 8613 FM 969 Road (Walnut Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning and family residence (SF-3) district zoning to multifamily residence moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density (MF-4) district zoning. Owner/Applicant: 3423 Investments LLC and MF Austin Ridge LLC. Agent: Monte F. James (James Monte). City Staff: Jonathan Tomko, Planning Department, 512-974-1057.

District(s): District 1

39. C14-2023-0144 - Domain Northside PDA Amendment - Conduct a public hearing and approve

an ordinance amending City Code Title 25 by zoning property locally known as 3210 Esperanza Crossing (Walnut Creek Watershed). Applicant Request: To rezone from major industry-planned development area (MI-PDA) combining district zoning to major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Staff and Planning Commission Recommendation: To major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: Domain Northside Retail Property Owner LP (James W. Geskey, Managing Director). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

40. C14-2022-0157 - Domain I and II PDA Amendment -- Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 11506 Century Oaks Terrace and 3414 West Braker Lane (Shoal Creek and Walnut Creek Watersheds). Applicant Request: To rezone from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. First Reading approved May 18, 2023. Vote: 11-0. Second Reading approved on June 1, 2023. Vote 9-0 with Mayor Watson and Council Member Alison Alter off the dias. Owner/Applicant: The Domain Mall II, LLC and The Domain Mall, LLC. Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

41. C14-2023-0118 - 7331 & 7333 Bluff Springs Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 7331 and 7333 Bluff Springs Road (Onion Creek and South Boggy Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence medium density (MF-3) district zoning. Owner/Applicant: RPM Living (William Krenger). Agent: Drenner Group, P.C. (Leah Bojo). City Staff: Cynthia Hadri, Planning Department, 512-974-7620.

District(s): District 2

42. C14-00-2195(RCA) (Formerly known as C14-00-2195 (RCT) - Waterline - Conduct a public hearing and approve an amendment to a public restrictive covenant on a property locally known as 92 Red River Street (Waller Creek Watershed). Applicant Request: To amend the public restrictive covenant associated with zoning case C14-00-2195. Staff Recommendation and Planning Commission Recommendation: To amend the public restrictive covenant associated with zoning case C14-00-2195. Owner/Applicant: Waller Creek Owner, LLC. Agent: Armbrust & Brown PLLC, Richard Suttle, Jr. City Staff: Jonathan Tomko, 512-974-1057.

District(s): District 9

Adjourn

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later

than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.